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9 Attorneys for Defendant
10 ANGEL NOEL GUEVARA

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA

13 UNITED STATES OF AMERICA)

14 Plaintiff)

15 vs.)

16 ANGEL NOEL GUEVARA, et al.)

17 Defendants)
18 _____)

No. CR 08-00730 WHA

**STIPULATION AND ~~PROPOSED~~ ORDER
RESCHEDULING *DAUBERT* HEARING
FOR EYEWITNESS IDENTIFICATION
EXPERTS TO MARCH 15, 2011**

Judge: Hon. William H. Alsup

19 **STIPULATION**

20 The Government and defendants ANGEL GUEVARA and GUILLERMO HERRERA,
21 through their respective counsel, Lupe Martinez and Martin Sabelli, and the Government through
22 Assistant United States Attorneys Wilson Leung and Wil Frentzen hereby agree and stipulate that,
23 subject to the Court's approval, the *Daubert* hearing set for March 16, 2011 at 7:30 a.m. for the
24 two eyewitness identification experts proposed by defendants Guevara (Deborah Davis, Ph.D.)
25 and Herrera (Scott Fraser, Ph.D.) (see Docket No. 3522) be rescheduled for March 15, 2011 at
26 7:30 a.m.

27 It is further stipulated that the hearing will begin with Mr. Guevara's expert, Dr. Deborah
28 Davis, at 7:30 a.m., to be followed by Mr. Herrera's expert, Dr. Scott Fraser. (Dr. Fraser is flying

1 into town that morning in order to conserve CJA resources and will be available to testify starting
2 at 11:00 a.m.)

3 Counsel have met and conferred on this matter and represent to the Court that the experts'
4 schedules make resetting the *Daubert* hearing to March 15, 2011 at 7:30 a.m. necessary.

5 IT IS SO STIPULATED.

6 Dated: March 1, 2011

/s/

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8 LUPE MARTINEZ
Attorney for ANGEL GUEVARA

9 Dated: March 1, 2011

/s/

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11 MARTIN A. SABELLI
Attorney for GUILLERMO HERRERA

12 Dated: March 1, 2011

/s/

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14 WIL FRENTZEN
WILSON LEUNG
15 Assistant United States Attorneys

16 **ORDER**

17 By stipulation of the parties, and for good cause shown, it is hereby ordered that the
18 *Daubert* hearing for the two eyewitness identification experts proposed by defendants Angel
19 Guevara (Deborah Davis, Ph.D.) and Guillermo Herrera (Scott Fraser, Ph.D.) be scheduled for
20 March 15, 2011 at 7:30 a.m.

21 IT IS SO ORDERED

22
23 DATED: _ March 2 _____, 2011

24
25 
26 HON. WILLIAM H. ALSUP
27 UNITED STATES DISTRICT JUDGE
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